

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 IO-13 DHA-02 AID-05 IGA-02 TRSE-00
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NSCE-00 SSO-00 USIE-00 INRE-00 /088 W
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O R 192045Z AUG 77
FM AMEMBASSY ASUNCION
TO SECSTATE WASHDC IMMEDIATE IMMEDIATE 0897
INFO AMEMBASSY BRASILIA
AMEMBASSY BUENOS AIRES
AMEMBASSY MONTEVIDEO
AMEMBASSY SANTIAGO

C O N F I D E N T I A L SECTION 1 OF 3 ASUNCION 3410

E.O. 11652: XGDS-1
TAGS: OVIP (TODMAN, TERENCE A), SHUM, PA, PGOV
SUBJ: TODMAN VISIT - CALL ON PARAGUAYAN FONMIN NOGUES AND INTMIN
MONTANARO AUGUST 16

1. ASSISTANT SECRETARY TODMAN AND AMBASSADOR LANDAU MET WITH
PARAGUAYAN FOREIGN MINISTER NOGUES AND INTERIOR MINISTER MONTANARO
FOR AN HOUR ON THE EVENING OF AUGUST 16. GEORGE LISTER (ARA),
RICHARD FEINBERG (POLICY PLANNING STAFF), AND DCM BRIGGS ALSO
ATTENDED.

2. AFTER AN EXCHANGE OF COURTESIES IN WHICH FONMIN NOGUES GAVE
AMBASSADOR TODMAN A VERY WARM WELCOME, AND TODMAN EXPRESSED PLEASURE
IN VISITING PARAGUAY FOR THE FIRST TIME, NOGUES REFERRED TO
PARAGUAY'S GENUINE FRIENDSHIP AND ADMIRATION FOR THE U.S., AND
TO THE FACT PARAGUAY "ON MORE THAN ONE OCCASION" HAS PROVEN ITS
FRIENDSHIP. HE CITED PARAGUAYAN SUPPORT FOR THE US IN INTERNATIONAL
FORA AND PARAGUAY'S MILITARY PARTICIPATION IN THE DOMINICAN
CAMPAIGN OF 1965. HE ACKNOWLEDGED US ECONOMIC ASSISTANCE TO
PARAGUAY, AND SAID THAT IN THE GOP'S VIEW ECONOMIC DEVELOPMENT
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IS THE BASIS FOR FREEDOM AND DEMOCRACY.

3. TODMAN REFERRED TO THE DEVELOPMENT OF EASTERN PARAGUAY
WHICH HE HAD WITNESSED ON HIS TRIP TO ITAIPU THAT MORNING,
AND SAID IT WAS EXTRAORDINARY TO CONSIDER THAT TEN YEARS AGO
THERE WAS NOTHING AT ALL IN THAT REGION. NOGUES SAID THAT
PARAGUAY'S ONLY REAL PROBLEM FOR THE FUTURE WOULD BE LACK

OF PEOPLE; THAT THE COUNTRY COULD USE 20 TO 30 TIMES ITS PRESENT POPULATION TO REALIZE ITS POTENTIAL FULLY. IN REPLY TO TODMAN'S QUESTION AS TO WHETHER ANY PARAGUAYANS ABROAD HAVE RETURNED RECENTLY, NOGUES SAID THAT SOME HAVE, AND IT WAS IMPORTANT TO NOTE THEY HAD NOT LEFT FOR POLITICAL REASONS, AS SOMETIMES CHARGED, BUT SIMPLY FOR LACK OF ECONOMIC OPPORTUNITY AT HOME.

4. TODMAN REFERRED TO THE GREATER EMPHASIS NOW BEING GIVEN IN THE US TO THE SUBJECT OF HUMAN RIGHTS. HE EXPLAINED THAT WE DO NOT FEEL WE CAN BE LOYAL TO OURSELVES UNLESS OUR GOVERNMENT PROJECTS THE MORAL AND ETHICAL PRINCIPLES ON WHICH IT WAS FOUNDED. THESE INCLUDE THE BELIEF THAT GOVERNMENT AUTHORITY SHOULD EXIST TO HELP THE PEOPLE, INCLUDING PROTECTING AND ADVANCING THEIR HUMAN RIGHTS. HE SAID THAT BY HUMAN RIGHTS WE MEAN MOST OF ALL THOSE WHICH TOUCH ONE'S PERSONAL SECURITY, ECONOMIC WELL BEING, AND ABILITY TO PARTICIPATE IN POLITICAL ACTIVITY WITHOUT FEAR OF REPRISAL.

5. TODMAN SAID THAT WITH OR WITHOUT REASON, THE PREVAILING VIEW IN THE UNITED STATES IS THAT IN PARAGUAY THESE RIGHTS ARE NOT BEING OBSERVED. FORMER AMBASSADOR BEN STEPHANSKY ON HIS RETURN FROM HIS RECENT VISIT TO PARAGUAY HAD TOLD TODMAN HE HAD BEEN RECEIVED MOST CORDIALLY AND OPENLY, AND THAT ALTHOUGH HE FELT THE JUDICIAL SYSTEM WAS NOT FUNCTIONING PROPERLY, HE ANTICIPATED POSITIVE CHANGES SOON. AFTER HEARING THIS FROM STEPHANSKY, CONFIDENTIAL

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TODMAN SAID HE WAS DISCOURAGED TO LEARN THAT THERE HAD RECENTLY BEEN A NEW SERIES OF POLITICAL ARRESTS IN PARAGUAY. THIS SORT OF THING TARNISHED PARAGUAY'S GOOD NAME. TODMAN SAID THAT IT WAS NOT FOR US TO TELL PARAGUAY HOW TO BEHAVE, BUT THAT WE HAVE A RESPONSIBILITY TO OURSELVES TO REACT IN ACCORDANCE WITH HOW WE FEEL, AND IF WE ARE DISTURBED, TO MAKE THIS KNOWN.

6. TODMAN SAID THAT PARAGUAY'S REFUSAL TO ALLOW A VISIT BY THE INTER-AMERICAN HUMAN RIGHTS COMMISSION HAD BECOME SOMETHING OF A CAUSE CELEBRE. PRESIDENT CARTER PERSONALLY HAD BEEN UNDER THE IMPRESSION THAT THE VISIT HAD THE GOP'S APPROVAL. WE CONSIDERED THE VISIT TO BE SO IMPORTANT BECAUSE IT WOULD DEMONSTRATE THAT PARAGUAY DOES CARE ABOUT HUMAN RIGHTS, AND WOULD BE INTERPRETED AS FORWARD MOTION TOWARDS IMPROVING PARAGUAY'S IMAGE. (TODMAN RECALLED THAT SECRETARY VANCE HAD ANNOUNCED THAT THE IAHRC WAS FREE TO INVESTIGATE THE HUMAN RIGHTS SITUATION IN THE UNITED STATES AT ANY TIME.) FURTHERMORE, A VISIT TO PARAGUAY WOULD PERMIT US IN TURN TO TAKE POSITIVE ACTIONS VIS-A-VIS PARAGUAY, SINCE THE VISIT WAS SEEN IN THE US AS THE KEY TO WHETHER THE US AND PARAGUAY SHARE A COMMON POSITION ON HUMAN RIGHTS. IF WE ARE ON THE

SAME ROAD, THEN THAT WOULD OPEN UP THE ROAD FOR CONTINUED ECONOMIC COOPERATION.

7. NOGUES SAID THAT THERE IS NO QUESTION BUT THAT THE US AND PARAGUAY SPEAK THE SAME LANGUAGE ON HUMAN RIGHTS. "NO CIVILIZED GOVERNMENT CAN DO OTHER THAN TO RAISE HIGH THE BANNER OF HUMAN RIGHTS." HE AGREED THAT PARAGUAY'S IMAGE HAD SUFFERED BECAUSE OF THIRD-HAND REPORTS AND DENUNCIATIONS BY THOSE WHO WANT TO EMBARRASS OR OVERTHROW THE GOP. THE GOVERNMENT, HE SAID, REPRESENTS THE MAJORITY OF THE PEOPLE, AND WANTS TO PROTECT THE HUMAN RIGHTS OF THE MAJORITY.

8. WITH RESPECT TO A VISIT BY THE IAHC, NOGUES RECALLED THAT THE GOP HAS SAID NEITHER "YES" NO "NO", AND THEREFORE THE CONFIDENTIAL

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PROVISIONS OF THE HARKIN AMENDMENT SHOULD NOT APPLY TO PARAGUAY. HE SAID HE HAD MET WITH IAHC PRESIDENT AGUILAR LAST WEEK IN CARACAS TO DELIVER IN PERSON THE GOP'S RESPONSE TO THE IAHC

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REPORT ON PARAGUAY. HE HAD ASSURED AGUILAR OF THE GOP'S INTENTION TO CONTINUE COOPERATING WITH THE IAHC. HE HAD SUGGESTED THAT

THE COMMISSION STUDY THE REPORT, AND SEE IF IT SATISFIED THE IAHRC'S NEEDS, IF IT DID THEN THERE WOULD BE NO FURTHER NEED FOR THE VISIT. IF NOT, THE IAHRC COULD LET THE GOP KNOW THAT IT STILL WISHED TO MAKE A VISIT TO PARAGUAY. IN OTHER WORDS, HE SAID, RIGHT NOW THERE WAS AN "INTERREGNUM" WITH RESPECT TO AN IAHRC VISIT.

9. TODMAN SAID THAT UNTIL THE QUESTION OF A VISIT WAS RESOLVED THE USG WOULD ALSO HAVE TO PLACE ALL ACTIONS (ON LOANS TO PARAGUAY) IN ABEYANCE, AND SINCE THERE ARE SEVERAL IMPORTANT MATTERS PENDING, THIS SEEMED UNFORTUNATE. THE "INTERREGNUM" WOULD THEREFORE AFFECT USG ACTIONS AS WELL. ON THE OTHER HAND, IF THE GOP SAID "YES" TO AN IAHRC VISIT, EVEN IF ONLY FOR SOME UNSPECIFIED FUTURE TIME, THIS WOULD BE SEEN AS A POSITIVE DECISION ON THE PART OF THE GOP. WHILE THE MATTER REMAINED UNRESOLVED IT LEFT US NOTHING ON WHICH TO BASE OUR DECISION WITH RESPECT TO PENDING MATTERS. TODMAN ASSURED NOGUES THAT THE US WANTS TO COOPERATE
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WITH PARAGUAY TO PROMOTE THE PROGRESS OF THIS COUNTRY, AND FINDS IT DISPIRITING TO HAVE TO HOLD BACK ON ITS ASSISTANCE.

10. INTMIN MONTANARO SAID HE HAD READ DEPUTY SECRETARY CHRISTOPHER'S CHICAGO SPEECH, AND FOUND THERE WAS NOTHING IN IT WITH WHICH HE DISAGREED. HE SAID PARAGUAY SHARES THE US VIEW OF HUMAN RIGHTS. HE CITED THE RECENT VISIT OF BEN STEPHANSKY OF THE INTERNATIONAL LEAGUE FOR HUMAN RIGHTS, TODMAN'S VISIT, AND VISITS BY THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) AS DEMONSTRATING PARAGUAY'S OPENNESS AND WILLINGNESS TO RECEIVE GROUPS AND INDIVIDUALS INTERESTED IN THE HR SITUATION HERE. HE SAID THE GOP HAD "RELIGIOUSLY COMPLIED WITH THE RECOMMENDATIONS OF THE ICRC" REGARDING THE TREATMENT OF PRISONERS.

11. THE PROBLEM WITH A VISIT BY THE IAHRC, HE SAID, WAS THAT IT WOULD BE COMING TO PARAGUAY FIRST, WHEN IN FACT THE SITUATION IN PARAGUAY WAS SO MUCH BETTER THAN ELSEWHERE IN THE REGION. THIS WOULD GIVE THE APPEARANCE OF PARAGUAY'S BEING PUNISHED OR SINGLED OUT FOR SPECIAL ATTENTION, WHICH IN RELATION TO ITS NEIGHBORS IT DID NOT DESERVE. PARAGUAY HAD NOTHING TO HIDE. WITH RESPECT TO THE RECENT DETAINEES -- TO WHICH TODMAN HAD REFERRED -- NINE HAD BEEN RELEASED AND SIX /SIC/ HAD BEEN PASSED OVER TO ORDINARY JUSTICE FOR PROSECUTION. IN OTHER WORDS, THEIR RIGHTS UNDER THE PARAGUAYAN JUDICIAL SYSTEM HAD BEEN OBSERVED.

12. MONTANARO ADDED ANOTHER REASON WHY AN IAHRC VISIT NOW WOULD BE INCONVENIENT. HE SAID IT WOULD INTERFERE WITH THE "FREE DEMOCRATIC PROCESS" WHICH PARAGUAY WAS COMMENCING, OF PARTY CONVENTIONS, THE CAMPAIGN, AND FINALLY THE PRESIDENTIAL

ELECTION NEXT YEAR. THE PRESS WOULD HAVE A FIELD DAY EXPLOITING
N IAHRC VISIT NOW, AND THIS WOULD HURT THE GOP. FOR INSTANCE,
HE ASKED HOW THE GOP COULD DEFEND ITSELF AGAINST CHARGES OF
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DISAPPEARANCES WHEN INDIVIDUALS CAN MERELY SLIP ACROSS THE BORDER
INTO ARGENTINA. THIS IS HOW THE OPPOSITION WORKS, HE SAID. THEY
SAY THOUSANDS HAVE FLED THE COUNTRY, AND HUNDREDS ARE IN JAIL,
AND EVEN THOUGH THE ICRC HAS DISPROVEN THESE CHARGES, THEY ARE
STILL WIDELY BELIEVED.

13. TODMAN SAID HE UNDERSTOOD THE POTENTIAL POLITICAL COMPLICATIONS
OF AN IMMEDIATE VISIT BY THE IAHRC, BUT ASKED WHY THE GOP COULD
NOT SIMPLY SAY "YES" TO A VISIT BUT NOT SET THE DATE UNTIL A
MORE CONVENIENT TIME. AS TO DEALING WITH EXAGGERATED OR
FABRICATED CHARGES, RATHER THAN MAKING THE SITUATION WORSE
AN IAHRC VISIT COULD SERVE TO SET THE RECORD STRAIGHT.

14. TODMAN SAID THE US IS SEEKING TO STRENGTHEN THE IAHRC
AND TO PROMOTE GREATER ACCEPTANCE OF AND PARTICIPATION WITH
IT BY OAS MEMBERS. THIS IS A PRIME REASON WHY THE US FEELS SO
STRONGLY IT SHOULD BE ABLE TO GO WHERE IT WILL. FURTHERMORE,
HE EMPHASIZED THAT A VISIT TO PARAGUAY BY THE IAHRC NEED NOT
BE SEEN AS AN "INVESTIGATION", BUT AS SOMETHING DESIRED BY A
COUNTRY WHICH HAS NOTHING TO HIDE AND WHICH WISHES TO CLEAR ITS
NAME OF FALSE ACCUSATIONS. OF COURSE, NO COUNTRY IS WITHOUT ITS
PROBLEMS, AND IN THAT RESPECT THE VISIT OF THE IAHRC COULD ALSO
HELP PARAGUAY IDENTIFY THE REAL ONES.

15. NOGUES SAID THAT NATIONAL PRIDE ALSO WAS INVOLVED, AND
AFFECTED PARAGUAY'S ATTITUDE TOWARD A VISIT, AS IT DID THE
ATTITUDE OF OTHERS. IN THE CASE OF BRAZIL, THEIR NATIONAL PRIDE
HAD CAUSED THE GOB TO DECLARE THAT AN IAHRC VISIT WOULD BE
INTERVENTION IN THEIR INTERNAL AFFAIRS. FOR PARAGUAY TO ALLOW
A VISIT UNDER PRESSURE -- OR AT LEAST UNDER CIRCUMSTANCES WHICH
MIGHT GIVE THE APPEARANCE THAT PARAGUAY WAS YIELDING TO PRESSURE
FROM THE USG -- WOULD WOUND PARAGUAY'S AMOUR PROPRE.

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16. TODMAN SAID HE UNDERSTOOD THIS PROBLEM TOO,BUT PRESUMABLY THE GOP WOULD NOT WISH TO APPEAR TO BE YIELDING TO PRESSURE FROM OTHER COUNTRIES TO PREVENT AN IAHC VISIT, EITHER. HE HOPED THAT THE GOP IN THE END WOULD NOT BASE ITS DECISION ON THE VIEWS OF OTHERS, BUT WOULD INSTEAD TAKE INTO ACCOUNT ITS OWN SOVEREIGN INTERESTS. TODMAN QUESTIONED HOW CONCERN OVER HUMAN RIGHTS COULD BE INTERPRETED AS OUR INTERFERING IN THE INTERNAL AFFAIRS OF ANOTHER COUNTRY, WHEN THE ISSUE IS SIMPLY WHETHER THE U.S. CONGRESS, REPRESENTING THE WILL OF THE US PEOPLE, SHOULD OR SHOULD NOT APPROVE SPENDING THE PEOPLE'S MONEY. THIS IS AN INTERNAL MATTER INVOLVING ONLY THE US, WHICH HAS THE SOVEREIGN RIGHT TO DETERMINE WHAT OUR ACTIONS OR REACTIONS SHOULD BE TO EVENTS WE FEEL AFFECT US BEYOND OUR BORDERS.

17. AMBASSADOR LANDAU SAID THAT FAR FROM PRESSURING PARAGUAY WE ARE CONSTANTLY THINKING OF HOW TO OVERCOME THE BARRIER REPRESENTED BY PARAGUAY'S DIFFICULTY IN ACCEPTING AN IAHC VISIT. OUR PROBLEM IS SIMPLY THIS: TO DATE, THE GOP HAS SAID NEITHER "YES" NOR "NO" TO THE VISIT, BUT AS CONFIDENTIAL

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FAR AS THE PUBLIC RECORD IS CONCERNED, THE IAHC ON MAY 14 ISSUED A PRESS RELEASE STATING THAT PARAGUAY HAD CHARACTERIZED THE VISIT AS "INOPPORTUNE". IN THE ABSENCE OF ANY FURTHER COMMUNICATION TO THE IAHC, THE USG HAD TO INTERPRET THIS AS A NEGATIVE RESPONSE. THAT LEFT THE USG WITH THE PROBLEM THAT THE IAHC HAD SAID IT COULD NOT VISIT PARAGUAY, AND OUR LAW SAID IN THAT CASE WE CANNOT APPROVE CERTAIN TYPES OF ECONOMIC ASSISTANCE.

18. LANDAU SAID THE "INTERREGNUM" MENTIONED BY NOGUES WOULD NOT PERMIT US TO ACT AS IF ALL WERE NORMAL IN OUR RELATIONS - I.E., TO APPROVE PENDING SOFT LOANS. HE ASKED WHY PARAGUAY COULD NOT GIVE A GREEN LIGHT TO THE VISIT, PERHAPS

INDICATING SOME LATER DATE, AFTER THE ELECTIONS. AND AS TO PARAGUAY'S BEING THE FIRST TO RECEIVE AN IAHRC VISIT, LANDAU SUGGESTED THAT THERE WERE TWO GOOD REASONS: FIRST, UNLIKE ARGENTINA AND URUGUAY WHICH HAVE BEEN THE OBJECTS OF SANCTIONS, AND BRAZIL WHICH TOOK THE INITIATIVE IN PUBLICLY CANCELING MILITARY AID TO AVOID SANCTIONS, PARAGUAY SO FAR HAS A CLEAN RECORD. SECOND, NOTWITHSTANDING SOME PUBLIC BLUSTERING EACH OF THESE COUNTRIES REALLY WANTS TO IMPROVE ITS RELATIONS WITH THE US, AND ARE LOOKING FOR WAYS OUT OF THE PRESENT IMPASSE. EACH IS AFRAID TO RECEIVE THE IAHRC, BUT IF THEY SAW THE IAHRC HAD VISITED PARAGUAY AND NOTHING DEREADFUL RESULTED FROM THE VISIT, THEY WOULD BE REASSURED, THEY THEMSELVES WOULD THEN BE ENCOURAGED TO PERMIT VISITS BY THE IAHRC, AND A WAY WOULD HAVE BEEN FOUND FOR A RESTORATION OF CLOSE RELATION WITH THE US. IN OTHER WORDS, PARAGUAY WOULD BE DOING ITS NEIGHBORS A FAVOR BY BREAKING THE ICE FOR THEM.

19. TODMAN ASKED WHAT AGUILAR'S RESPONSE HAD BEEN TO NOGUES' VISIT. NOGUES SAID HIS CONVERSATION WITH AGUILAR HAD BEEN VERY OPEN AND CORDIAL, THAT AGUILAR IS A LONGTIME FRIEND. CONFIDENTIAL

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AGUILAR HAD SAID IT WOULD TAKE A COUPLE OF MONTHS BEFORE THE COMMISSION COULD STUDY THE PARAGUAYAN RESPONSE AND DECIDE WHAT IT WANTED TO DO. NOGUES HAD THEN ASKED IN THAT CASE IF AGUILAR COULD TELL THE USG, WHICH WAS PRESSING HIM ON THE IAHRC VISIT, THAT THE IAHRC SAW NO NEED TO MAKE THE VISIT RIGHT NOW. THIS WOULD THEN ALLOW THE USG TO MOVE ON SOME PENDING MATTERS WHICH HAD BECOME STALLED.

20. NOGUES SAID AGUILAR HAD EXPLAINED THAT THE IAHRC DOES NOT REPORT TO ANYONE. ITS MEMBERS ARE APPOINTED IN THEIR INDIVIDUAL CAPACITIES, NOT EVEN AS GOVERNMENT REPRESENTATIVES. BUT HE HAD ADDED THAT WHILE HE WOULD NOT VOLUNTEER INFORMATION TO THE USG, IF THE USG ASKED HIM WHERE THE MATTER STOOD, HE COULD SAY THE IAHRC WAS STUDYING THE MATTER.

21. TODMAN INTERJECTED THAT TWO DAYS PREVIOUSLY THE US HAD ASKED AGUILAR IF THE IAHRC STILL WANTED TO VISIT PARAGUAY, AND HE HAD SAID YES. TODMAN SUGGESTED THAT THE GOP SIMPLY TELL AGUILAR: "READ OUR REPORT, AND IF YOU DECIDE LATER YOU WANT TO VISIT PARAGUAY, THAT WILL BE ACCEPTABLE." THEN THE IAHRC COULD (IN REPLY TO OUR QUESTION) SAY THEY WERE STUDYING THE QUESTION BUT AT LEAST KNEW THE GOP WOULD ALLOW A VISIT AT SOME LATER TIME IF DEEMED NECESSARY BY THE IAHRC.

22. IN CONCLUDING THE DISCUSSION, NOGUES SAID THE GOP WOULD DO EVERYTHING IT COULD TO ENSURE TODMAN'S VISIT WAS A SUCCESS. TODMAN SAID THAT THE IAHRC VISIT WAS LIKE A BARRIER IN THE ROAD FOR US. WE KNOW WE ARE ON THE SAME ROAD, AND THAT WE CAN WORK

CLOSELY TOGETHER, BUT THE BARRIER MUST FIRST BE REMOVED.

23. IN A PRIVATE CONVERSATION WITH THE TWO MINISTERS THAT
NIGHT TODMAN AGAIN MENTIONED THE NEED TO STRENGTHEN THE IAHRC
AND URGED THAT PARAGUAY RATIFY THE OAS HUMAN RIGHTS
CONVENTION. HE QUESTIONED THE NEED FOR A PERMANENT
STATE OF SIEGE IN PARAGUAY, AND WAS TOLD THERE WOULD
BE A "SURPRISE" IN THIS REGARD VERY SHORTLY. THE
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MINISTERS CONFIRMED THAT THE THREE COMMUNIST
ASYLEES IN THE PERUVIAN EMBASSY WOULD GET THEIR PASSPORTS
AND BE ALLOWED TO LEAVE THE COUNTRY; AND THAT THE JUDGE
HANDLING THE CASES OF POLITICAL DETAINEES SOON WOULD BE
RELIEVED OF HIS OTHER DUTIES SO HE CAN DEVOTE FULL TIME
TO SPEEDING UP THE JUDICIAL PROCESS. FONMIN NOGUES ALSO CONFIRMED
HIS PREVIOUS PROMISE TO AMBASSADOR LANDAU TO GIVE INSTRUCTIONS TO
THE PARAGUAYAN EMBASSY IN WASHINGTON TO MAKE A PUBLIC
STATEMENT PRAISING THE PANAMA CANAL TREATY.

24. THIS MESSAGE HAS BEEN APPROVED BY ASSISTANT SECRETARY
TODMAN.
LANDAU

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Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
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